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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,625	11/13/2003	Hayo Jager	RSW920030164US1	2144

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EXAMINER	
BETZ, BLAKE E	

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/712,625	JAGER ET AL.	
	Examiner	Art Unit	
	Blake E. Betz	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/13/2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11/13/2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3, 6, 8 – 12, and 14 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,629,090 to Tsuda et al.

Claims 1, 10, and 16 are clearly taught by the invention of Tsuda et al. Tsuda et al. teaches of a device and method for analyzing data. Figure 23 of Tsuda shows a screen display of a regression tree diagram containing a plurality of nodes. As can be seen in the figure, each of the nodes contains information regarding an evaluated statistical-value list. The n value located in the node notified as No. 0 is calculated as the sum of the n values for node No. 1 and node No. 14. Additionally, as can be seen by the rest of the nodes containing children nodes in Figure 23, each of the n values of the nodes are the result of the summation of the n values of their child nodes. Thus, a calculation is performed based on the n values displayed by the child nodes and the result is displayed in the parent node. Column 9, lines 17 – 45, further describe the data-analyzing device of the invention. Additionally, column 19, lines 64 – 67, and column 20, lines 1 – 5, state, "Furthermore, the data analyzing method described in the above-explained embodiment can be realized by executing prepared programs with a computer such as a personal computer or workstation. These programs are stored in a computer-readable recording medium such as a hard disk, floppy disk, CD-ROM, MO, or DVD and then read out of the recording medium by a computer and executed. These programs can be distributed through the above recording medium or a network as

transmission media." Therefore, Tsuda et al. teaches an image visualization system and a program product stored on a recordable medium for performing the functions of the methods in the invention as described above.

Tsuda et al. teaches of the invention of claims 2, 11, and 17. As described above, Figure 23 shows a plurality of nodes containing information regarding an evaluated statistical-value list. The nodes containing no children are all assigned values, while the nodes containing children are given values corresponding to calculations performed based on the values displayed by their child nodes.

Tsuda et al. teaches of the invention of claims 3, 12, and 18. As shown in Figure 23, the calculations performed to generate the values in the nodes containing children are performed using values displayed by their child nodes in the display. Therefore, the values of the parent nodes are calculated by the values of their child nodes, which accordingly have a Degree of Interest level that is less than that of the parent node.

Tsuda et al. teaches of the invention of claim 6. As mentioned above, the parent nodes of Figure 23 perform calculations based on the values displayed by their child nodes and display the result of the calculation.

Tsuda et al. teaches of the invention of claims 8, 14, and 19. As shown by the nodes in Figure 23, the calculations performed by the nodes in the regression tree diagram are dependent upon their relative position in the model. Node No. 16 is positioned so that its values correspond to the calculations performed on the values of nodes No. 17 and No. 18. Node No. 18 is positioned so that its values correspond to the calculations performed on the values of nodes No. 19 and No. 20.

Tsuda et al. further teaches of the invention of claims 9, 15, and 20. Figure 23 shows the calculations performed by the nodes in the regression tree diagram as dependent upon their relative position in the model. As can be seen, the root node of the diagram performs a calculation based upon child node values while the calculation of values performed by a lower hierarchical node are based upon their separate corresponding child node values. Therefore, while a first calculation is performed by the root node, the lower, non-root node performs a second calculation.

Claims 1, 7, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,758,026 to Lobley et al.

Lobley et al. discloses a system and method for displaying hierarchical models in decision support systems. Figure 5 shows a tree model containing a plurality of nodes representing factors in a decision model of a house purchase. As can be seen, the nodes additionally contain percentage values regarding the weight of each factor in the overall house purchase decision. The root node labeled House Purchase displays the value 100% which is a summation of the weight percentages of the grandchild nodes. Thus, Lobley et al. teaches of displaying an information visualization model having a plurality of nodes, wherein at least one node performs a calculation based on values displayed by its grandchild nodes and displays the result of the calculation. Additionally, Figures 1 and 2 of Lobley depict a block diagram and a general-purpose processor means for performing the functionality of the invention.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 5, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,758,026 to Lobley et al. in view of U.S. Patent No. 6,604,113 to Kenyon et al.

Lobley et al. discloses the invention of claims 4, 5, and 13 except wherein the information visualization model of claims 1 and 10 comprises a hyperbolic tree. Kenyon et al. teaches of a method and apparatus for providing automatic generation of information portfolios for a selected entity. Figure 9 shows a hyperbolic tree displaying a geographical hierarchy according to a particular customer portfolio. Column 8, lines 62 – 65, states, "By selecting any state and moving it to the center of the display, the entities which connect to the particular state can then be better viewed." Therefore, a node of interest in the hyperbolic tree of Kenyon may be selected, thus allowing the user to better view the entities connected to the selected node. It is well known that there may be many factors to evaluate while basing a decision on a house purchase. While the number of factors increases in the decision model of Lobley et al. the displayed graph will become more cluttered as more space is taken up on the computer screen. Therefore, with a growing number of factors to be displayed, the decision model may be harder for a user to view and understand. It would have been obvious to

one having ordinary skill in the art at the time the invention was made to modify the invention of Lobley et al. to include displaying the tree model in a hyperbolic format wherein a user may select a node to allow for better viewing of its dependent entities. One would have been motivated to make such a modification to Lobley et al. so that a user may be better able to view a decision factor of interest and its corresponding attributes despite crowding in the decision tree due to a plurality of decision factors.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 4,613,946 to Forman

U.S. Patent No. 4,710,763 to Franke et al.

U.S. Patent No. 5,619,632 to Lamping et al.

U.S. Patent No. 6,111,578 to Tesler

U.S. Patent No. 6,377,259 to Tenev et al.

U.S. Patent No. 6,377,287 to Hao et al.

U.S. Patent No. 6,434,542 to Farmen et al.

U.S. Patent No. 6,646,652 to Card et al.

U.S. Patent No. 6,750,864 to Anwar

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blake E. Betz whose telephone number is (571) 272-7655. The examiner can normally be reached on 7:30 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BB

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MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
2600